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NOTE AND COMMENT

THE AMERICAN POLITICAL SCIENCE ASSOCIATION.—Lawyers interested in public questions will be glad to learn of the organization of the American Political Science Association, which was established at New Orleans during the recent meetings there of the American Economic and Historical Associations. The objects of the new society are to promote the scientific study of politics, public law, administration and diplomacy. Not only academic students of these subjects; but lawyers, editors, legislators and public officials have been active in establishing this association; and it will undoubtedly appeal to a large constituency throughout the country of those interested in the great and increasingly important questions of theoretical and practical politics.

Frank J. Goodnow, professor of administrative law at Columbia University, has been elected president for the ensuing year. The other officers are: Vice-Presidents,—Woodrow Wilson, President of Princeton University; Paul S. Reinsch, professor of political science, University of Wisconsin; and Judge Simeon E. Baldwin, of the Connecticut Supreme Court; Secretary and Treasurer,—W. W. Willoughby, professor of political science, Johns Hopkins University. The Executive Council consists of these officers and the following additional members: Andrew D. White, former ambassador to Germany; Hannis Taylor, former minister to Spain; Jesse Macy, professor of political science, Iowa College; H. P. Judson, professor of political science, University of Chicago; L. S. Rowe, professor of political science, University of Pennsylvania; Albert Shaw, editor *Review of Reviews*; Bernard Moses, professor of political science, University of California; W. A. Schaper, professor of political science, University of Minnesota; Herbert Putnam, Librarian of

Congress; and John A. Fairlie, professor of administrative law, University of Michigan.

To indicate more definitely the scope of the organization and the wide range of its interests, mention may be made of the various sections to be established within the association. These will deal with (1) comparative legislation, embracing uniform legislation and publication, especially of indices and digests of statutes; (2) international law, including diplomacy; (3) constitutional law, including legislative procedure and political parties; (4) administrative law, including national, state, colonial and local administration; (5) historical jurisprudence; and (6) political theory.

It is provided in the constitution of the association that it "will not assume, as such, a partisan position upon any question of practical politics, nor commit its members to any position thereupon." Any person is eligible to membership upon the annual payment of three dollars, or to life membership, exempt from annual dues, upon the payment of fifty dollars.

THE BILL OF RIGHTS AND THE RIGHT TO LABOR.—The freedom to follow one's lawful trade or calling is favored and protected by a public policy arising out of the very nature of our institutions. It is one form of the "pursuit of happiness." *Curran v. Galen*, 152 N. Y. 33. It is an incident to the ordinary citizenship secured by the common law. *Giblan v. National Amalgamated Labourers' Union* [1903], 2 K. B. 617, 620. And it is more. It is a clear property right, indefeasible and fundamental. The employer may be punished for seeking to fetter it,—I MICHIGAN LAW REVIEW, 142—the legislature cannot take it away, a trade union cannot destroy it. And the courts must protect it. An emphatic enunciation of these principles has been furnished by the Supreme Court of Pennsylvania in the late case of *Erdman v. Mitchell* (1903), 56 Atl. Rep. 327.

The facts disclose the peculiar situation of one union asking to enjoin another union. Plaintiffs are an incorporated union of journeymen plumbers. Defendants are members of an unincorporated association, known as the Council of Allied Building Trades, composed of delegates from different unions and having for its purpose the affiliation of all trades unions in the city of Philadelphia and of the world. Plaintiffs refused to join the defendants' organization and defendants adopted this procedure. While plaintiffs were engaged to work on a building under construction, defendants ordered a strike of all union men at work on the building who were connected with the Allied Trades Council. Two-thirds of those employed on the building quit work. The condition for calling off the strike was the removal of the plaintiffs. The contractors in order to protect themselves yielded. Plaintiffs were informed that this course would be pursued until they joined a union member of defendants. Being unable to obtain steady employment, plaintiffs pray to restrain defendants from interfering with their work.

In Pennsylvania, as in several other states, the common law offense of conspiracy has been practically abolished as regards labor combinations. See TIEDEMAN, STATE AND FEDERAL CONTROL OF PERSONS AND PROPERTY, p. 422; and *Mayer v. Journeymen Stone Cutters' Ass'n*, 47 N. J. E. 519. The court, however, held while the acts complained of were not subject to indictment they were unlawful; that where the constitution guaranteed, among